REMARKS

This Amendment is being filed in response to the Office Action mailed June 12, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice

By means of the present amendment, claims 1-4 and 6-9 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A', changing "characterized in that" to --wherein--, and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1-4 and 6-9 were not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1-9 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the

enablement requirement, and under 35 U.S.C. §112, second paragraph as allegedly indefinite. Applicants respectfully disagree and submit that claims 1-9 are not indefinite and fully comply with the enablement requirements and are described in the specification in a way that reasonably conveys to one skilled in the relevant art how to make and/or use the present invention without any undue experimentation.

One skilled in the art would no trouble understanding how to make and/or use the present invention without any undue experimentation. It is respectfully submitted that it would be a trivial matter for a person skilled in the art to make and/or use the claimed invention defined by the rejected claims 1-9 in view of the specification and drawings. For example, the specification specifically recites, e.g., on page 3, lines 4-7, that the reset duration and the respective additional reset duration have a respective sum being substantially equal to a constant. From this disclosure, even a secondary school student would know how to calculate the additional reset duration, namely being the constant minus the reset duration.

Further, the specification specifically states, e.g., page 7,

lines 4-6, that the reference duration is equal to the duration to change the position of particles 6 of the respective picture element 2 from one extreme position to the other extreme position. Simple measurements using a timer may be used to determine such a reference duration. Similarly, simple measurements may be performed, such as applying different voltages across the electrodes and observing the display e.g., using detectors that detect changes in color or grey level of what is displayed, to determine the value of preset potential difference representing a preset energy sufficient to release particles present in one extreme position from their position but insufficient to enable these particles to reach the other extreme position. Accordingly, withdrawal of these rejections under 35 U.S.C. §112, first and second paragraphs to claims 1-9 is respectfully requested.

In the Office Action, claims 1-7 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2002/0005832 (Katase) in view of U.S. Patent Application Publication No. 2003/0137521 (Zehner). Claims 8-9 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Katase and Zehner in view of U.S. Patent Application Publication

No. 2002/0196207 (Machida). It is respectfully submitted that claims 1-4 and 6-9 are patentable over Katase, Zehner and Machida for at least the following reasons.

Katase is directed to a method for driving an active matrix electrophoretic display where differential voltages are applied to pixels. The differential voltages are calculated on the basis of a difference between a current average position of pigment particles and a subsequent desired position. "By continually updating the voltage gradient using these parameters, positions of pigment particles can be updated **without the need for an initialization** step. Since **no initialization** step is required, display updates can be affected rapidly." (Paragraph [0010], last 5 lines; emphasis added) Thus, Katase teaches away from having any initialization, let alone any extended initialization.

Zehner is directed to a bistable electro-optic display having pixels for displaying at least three gray levels. A look-up table is used that contains data representing impulses necessary to convert an initial gray level to a final gray level. As specifically recited in Paragraph [0018] of Zehner "seeks to provide a method and a controller that can provide accurate gray

levels in an electro-optic display **without the need to flash** solid color on the display at frequent intervals." (Paragraph [0018]; emphasis added) Thus, similar to Katase, Zehner also teaches away from having any extended initialization.

Assuming, arguendo, that Katase and Zehner disclose or suggest some additional reset duration, it is respectfully submitted that, Katase, Zehner, and combination thereof, do not disclose or suggest the present invention as recited in independent claim 1 which, amongst other patentable elements, recites (illustrative emphasis provided):

> the drive means are further arranged for controlling the reset potential difference of each picture element to enable particles to occupy the extreme position which is **closest** to the position of the particles which corresponds to the image information.

On page 12 of the Office Action, it is alleged that certain portions of Katase and Zehner disclose or suggest these features. Applicants respectfully disagree. In particular, FIGs 2, 4a-4B and 16A-1C in conjunction with Paragraphs [0094]-[0109] and [0062]-[0079] of Katase merely describe using a reset data Drest to initialize pixels. Further, FIGs 2, 4a-4B and 16A-1C in conjunction with Paragraphs [0150] and [0169]-[0175] of Zehner

merely describe using flashes of alternating positive and negative voltages as a reset step that move charges particles to pixel extremes, near the electrodes.

There is simply no teaching or suggestion in Katase and Zehner, alone or in combination, any drive means "arranged for controlling the reset potential difference of each picture element to enable particles to occupy the extreme position which is **closest** to the position of the particles which corresponds to the image information," as recited in independent claim 1. Machida is cited to allegedly show other features and does not remedy the deficiencies in Katase and Zehner.

Accordingly, it is respectfully submitted that independent claim 1 is allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-4 and 6-9 are also allowable at least based on their dependence from amended independent claim 1, as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

For example, claims 8-9 also contain patentable subject

matter, where as correctly noted by the Examiner their features are not disclosed or suggested in Katase and Zehner. Machida is cited in an attempt to remedy the deficiencies in Katase and Zehner.

Machida is directed to a display device where an "initializing drive voltage was kept constant at +/-300V and the frequency of the alternating voltage was gradually varied. In addition, the time the initializing drive voltage was applied was varied depending on the frequency such that the alternating voltage was changed 10 times as shown in FIG. 9." Paragraph [0105] Thus, in Machida the initializing drive voltage itself is the alternating voltage.

At best, the combination of Machida, Katase and Zehner would disclose using either a reset voltage or alternating voltages, but not both as there is no disclosure or suggestion of needing or desiring more than one reset for initialization. In fact, both Katase and Zehner strive to have no or minimal initialization.

Assuming, arguendo, that the combination of Machida, Katase and Zehner would disclose using both a reset voltage and alternating voltages, there is still no disclosure or suggestion of having "a sequence of preset potential differences **before** being the reset potential difference, the sequence of preset potential

differences having preset values and associated preset durations, the preset values in the sequence alternating in sign," as recited in claim 8, let alone any disclosure or suggestion of "each preset potential difference representing a preset energy sufficient to release particles present in one of said extreme positions from their position but insufficient to enable said particles to reach the other one of the extreme positions," as also recited in claim 8.

Further, Katase, Zehner, Machida, and combinations thereof do not disclose or suggest "a **further** sequence of preset potential differences between being the reset potential difference and the picture potential difference," as recited in claim 9, where the **further** sequence of preset potential differences is **in addition** to the sequence of preset potential differences having preset values alternating in sign, as recited in claim 8. Two sequences of preset potential differences are nowhere disclosed or suggested in Katase, Zehner and Machida, alone or in combinations.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of

argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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